

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Chiarelli et al.

Serial No.: 10/533,768

For: CONTROLLED AND CONTINUED DELIVERY OF RIFAXIMIN  
AND/OR OTHER SUBSTANCES

Filed: May 4, 2005

Examiner: Nissa M. Westerberg

Art Unit: 1618

Confirmation No.: 8171

Customer No.: 27,623

Attorney Docket No.: 0002263USU/3061

**Mail Stop RCE**  
COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE WITH RCE TRANSMITTAL**

Dear Sir:

We are enclosing a Response to the final Office communication mailed December 4, 2009 in the above-identified application, together with a Request for Continued Examination and a Supplemental Information Disclosure Statement.

Petition for a three-month extension of time pursuant to 37 C.F.R. §§ 1.136 and 1.137 is hereby made if, and to the extent, required. The fee for this extension of time is calculated to be \$555.00 (Small Entity) to extend the time for filing this response until June 4, 2010.

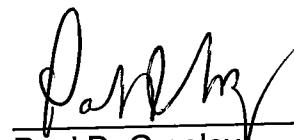
The fee for any change in number of claims has been calculated as shown below.

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest Number Previously Paid	Present Extra	Rate	
Total Claims	16	Minus	20	0	x \$52.00	\$0.00
Independent Claims	1	Minus	3	0	x \$220.00	\$0.00
MULTIPLE DEPENDENT CLAIM FEE					\$390.00 = \$0.00	
TOTAL FEE FOR CLAIM CHANGES					\$0.00	

The total fee for this amendment, including claim changes (**\$0.00**), Request for Continued Examination (**\$405.00 – Small Entity**), three-month extension of time (**\$555.00 – Small Entity**) and Supplemental Information Disclosure Statement (**\$0.00**) is calculated to be **\$960.00**.

XXX The Commissioner is hereby authorized to charge the total fees of **\$960.00** and any additional fees under 37 C.F.R. §§1.16 and 1.17 which may be required with this communication or during the entire pendency of the application, or to credit any overpayment, to **Deposit Account No. 01-0467** in the name of Ohlandt, Greeley, Ruggiero & Perle, LLP.

June 3, 2010  
Date



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